

CONDITIONS OF APPROVAL

(As Modified by the Central Area Planning Commission at its meeting of September 24, 2024)

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard main covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed 5,000 square-foot restaurant/karaoke establishment with 15 enclosed karaoke rooms. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited from 5:00 p.m. to 12:00 a.m., Sunday to Thursday and 5:00 p.m. to 1:30 a.m., Friday-Saturday.
 - b. Indoor seating shall be limited to a maximum of 133 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.

8. **Plan Approval.** The applicant shall file a Plan Approval application within 18 months from the date of issuance of this subject Approval, together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
9. After hours use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. Karaoke. A maximum of 15 individual karaoke rooms may be constructed within the restaurant provided the applicant/owner or their designee obtains a building permit from the Department of Building and Safety. The plans shall incorporate the following conditions:
 - a. Individual rooms, wall assembly, glass panes, construction materials and structural support shall be approved by the Department of Building and Safety.
 - b. Walls shall be permanently fixed and structurally supported. Movable partitions are not allowed.
 - c. Wall assemblies shall contain a minimum of 48 inches high by 30 inches wide glass panels on one side of each karaoke room (minimum) and within each doors panel.
 - d. Glass panes shall be tempered and identified by the manufacturer's designation that is required for safety glazing. Each pane shall bear the manufacturer's mark designating the type and thickness of the glass or glazing material. The identification shall not be omitted and shall comply with LAMC 2406.3 for safety glazing.
 - e. No locking hardware of any kind shall be installed on any door to a karaoke room. Doors shall remain unlocked and unobstructed at all times. Door locks, locking chains, deadbolts, door stops or similar devices are prohibited.
 - f. All glass panes into karaoke rooms, including glass panes in doors, shall remain unobstructed at all times.
 - g. The lighting in karaoke rooms shall not be equipped with dimmers. Each karaoke room shall be lit by at least one light source measuring the equivalent of 60 watts or more for every 100 square feet of floor area.
 - h. No karaoke rooms shall have direct access to another room directly from the said room at any time.

- i. Restrooms shall not be available inside a karaoke room or attached to any karaoke room. A wardrobe/closet may be utilized, so long as there are no doors or coverings to the wardrobe/chest. Racks or shelving for clothing (i.e.: jackets, hats, etc.) may be attached to the walls.
 - j. Each karaoke room shall be equipped with its own equipment which shall be retained permanently in each room and not shared or moved to other karaoke rooms.
11. **Cafe and Entertainment Permit.** A Cafe and Entertainment Permit shall be obtained from the Los Angeles Police Commission. A copy shall be submitted to the Department of City Planning for inclusion in the case file.
 12. Automobile parking shall be provided consistent with the LAMC and/or Assembly Bill (AB) 2097. A greater number than the minimum required may be provided at the applicant's discretion.
 13. The operator shall retain full control of all events within the subject premises.
 14. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
 15. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
 16. A "Designated Driver Program" shall implement and have available for one designated drive per party a complementary non-alcoholic beverages consisting coffee or tea and/or other non-alcoholic beverage.
 17. Any music, sound or noise which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

18. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
19. Except for the karaoke rooms shown on Exhibit A, there shall be no live entertainment of any type, including but not limited to live music, disc jockey, male or female performers or fashion shows, employee or hired dancers and/or any type of escort services. Ambient music to complement the dining experience is permitted indoors only. Any background music or other recorded ambient music shall not be audible beyond the area under the control of the applicant.
20. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
21. No employee or agent shall be permitted to accept money or any other item of value from a customer for the purpose of sitting or otherwise spending time with the customers while on the premises. No patrons shall be made available to act as escorts, companions, or guests of customers. Employees shall not be allowed to solicit or accept any alcoholic or non-alcoholic beverage from any customers in the premises.
22. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
23. The applicant / operator shall obtain permits from the Los Angeles Police Permit Processing Section, pursuant to LAMC Sections 103.102 and 103.106. Copies of said permits shall be submitted to the Department of City Planning **within 30 days of their issuance** for inclusion in the case file.
24. The establishment shall not be leased or contracted out to third party promoters that will require a cover charge or prepayment for admission to the establishment for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.
25. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
26. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
 - a. The food menu will be provided to every customer upon being seated.
27. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic

Beverage Control, or the Department of Building and Safety. The on-site Manager and employees shall be knowledgeable of the conditions herein.

28. Loitering is prohibited on or around these premises and the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
29. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
30. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
31. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
32. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
33. **Complaint Log.** Prior to the beginning of operations, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the hostess station

The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

34. An electronic age verification device shall be purchased and retained on the premises for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.

35. All doors shall not be propped open during business hours except for the delivery of items.
36. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department “Standardized Training for Alcohol Retailers” (STAR) or Department of Alcoholic Beverage Control “Licensee Education on Alcohol and Drugs” (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter to the Department of City Planning identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
37. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under their control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
38. Legible signs shall be installed on the exterior walls of the subject property and in various locations in the parking lot warning patrons to keep noise to a minimum, and to be respectful of the properties surrounding residential neighbors.
39. The Applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
40. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
41. The security plan must be reviewed and approved by the Police Department. The approved security plan will be maintained by the Department of City Planning and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections.
42. The primary ingress/egress to the restaurant will be from 8th Street and Normandie Avenue.
43. Patrons will be directed by security and the valet parking service to access the restaurant from 8th Street and Normandie Avenue. Limited access will also be permitted from the parking lot.
44. The applicant shall utilize social media, webpages, or other media to provide travel information to the restaurant. Such information shall promote the use of alternate

- travel means to automotive transportation (walk, bike, public transit, rideshare/service, or carpool).
45. Amplified music shall not be audible beyond the interior of the business.
 46. Prior to the filing of the Plan Approval, the applicant shall meet and have ongoing communications with LAPD Olympic Division Area Vice, Senior Lead Officer and the Wilshire Center – Koreatown Neighborhood Council to review any questions or concerns regarding operations and incidents.
 47. The applicant shall have an ongoing review of the operations and security plan and any community inquiries on a monthly bases with the Olympic Vice and adjust the policies as warranted.
 48. Digital video of any unlawful conduct will be identified and proactively provided to Olympic Vice and the Senior Lead Officer
 49. At least three State licensed security guards shall be provided. There shall be at least three security guards on duty at any one shift during operating hours. Security personnel shall wear clothing or uniforms that are easily identifiable. The security guard shall regularly patrol the area under the control of the establishment to prevent loitering or undesirable activity by persons around the premises. The security guard must be certified by the State Department Bureau of Consumer Affairs, Bureau and Security and Investigative Services.
 50. A minimum of three State Licensed security guards shall be present from opening to patrons until 30 minutes after closing time. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. The security personal shall, to the reasonable extent possible:
 - a. Encourage patrons to exit quietly.
 - b. Monitor the premises for patron smoking and work to discourage noise or nuisance behavior.
 - c. Prevent loitering at the entrance and parking area.
 - d. Prevent departing guests who appear to be intoxicated from driving, including observing patrons as they are walking them to their moto vehicle and actively encouraging the alternative use of the designated sober drivers and/or having the security personnel call a rideshare service.
 51. A minimum of three State Licensed security guards shall be present and be assigned to the interior, exterior of the premises, including the parking lot, and shall ensure a

- welcoming and safe environment for both customers and staff and prevent undesirable activities.
52. The security guards shall comply with the requirements of the California Business and Profession Code Section 7582.26(f). The security guard must be certified by the State Department Bureau of Consumer Affairs, Bureau and Security and Investigative Services.
 53. All employees are required to wear uniforms which clearly distinguish employees from the patrons.
 54. All employees will undergo a thorough background check as part of their application/hiring process.
 55. A personnel file of each employee will contain full name, current address, and photocopy of identification.
 56. Within six months of employment, every employee shall take/attend and successfully complete a certified Human Trafficking course/program approved by the City of Los Angeles, including the Los Angeles Police Department Olympic Community Station Area vice. Signs will be appropriately posted in the venue regarding the same.
 57. Valet parking shall be provided to karaoke restaurant patrons. The availability of said valet parking and the location of said parking shall be made known to the public via the restaurant menu, a posting of the information at readily visible locations and on the restaurant website. The applicant shall provide a copy of the menu, signs, or web page, for inclusion in the case file.
 58. A single valet operator shall be on-site who shall be responsible for enforcement of any conditions of this action regarding valet parking.
 59. Valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning.
 60. A valid valet parking contract in compliance with this condition shall be submitted to the Department of City Planning. The contract shall be maintained for the life of this grant and shall include the hours of valet service and the number of valet attendants to be provided as well as the valet parking locations. If the valet operator is replaced, a copy of the replacement contract shall be provided to the Development Services Center upon execution of the new contract.

Note: prior to providing valet services, the applicant should e-mail ladot.valetop@lacity.org to begin the application process, review, and approval of valet operations.

61. The valet operator shall be required to obtain a valid LAPD Commission Investigation Division (CID) Valet Operator Permit pursuant to LAMC Section 103.203 (b) and each valet attendant shall have a valid CID permit along with a valid California Driver License in their possession while on duty.
62. Valet service shall not utilize any local streets for the parking of vehicles at any time.
63. The valet operator shall utilize the latest technology that allows customers to text them before they depart the venue. This technology will allow the valet service to have customers vehicles ready upon guests' department.

ADMINISTRATIVE CONDITIONS

64. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
65. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
 - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
66. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City

Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.

67. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by the Council Office, LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

68. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice

or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.